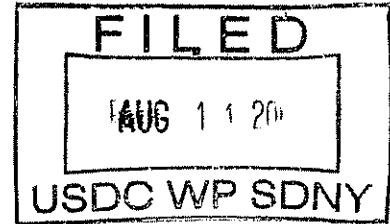


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JAMES MAHONEY, as the Director and on
behalf of the TRANSPORT WORKERS UNION
RETIREES ASSOCIATION,

Plaintiff,

Civil Action No. _____

-against-

RULE 7.1 STATEMENT

J.J. WEISER AND COMPANY, INC.,

05 CIV. 7117

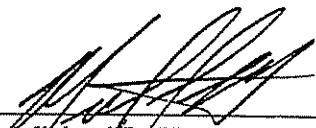
Defendant.
-----X

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for defendant J.J. Weiser and Company, Inc. (a private non-governmental party) certifies that it does not have any corporate parents, affiliates and/or subsidiaries which are publicly held.

Dated: Hawthorne, New York
August 11, 2005

TRAUB EGLIN LIEBERMAN STRAUS LLP

By: _____


Michael L. Hart (MH4031)
Attorneys for Defendant J.J. Weiser and
Company, Inc.
Mid-Westchester Executive Park
Seven Skyline Drive
Hawthorne, New York 10532
(914) 347-2600

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

Christina Golino, being duly sworn, deposes and says:

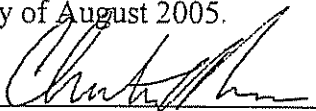
That the deponent is not a part to the within action and is over 18 years of age.

That on the 11th day of August 2005, deponent served the within **RULE 7.1 STATEMENT** upon the attorney(s) for the respective party(ies) in this action, at the address listed below, such address designated by said attorney for that purpose via **United States Postal Service**, by depositing same in a properly addressed wrapper, in an official depository under the exclusive care and custody of United States Postal Service.

TO: Larry Magarick, Esq.
KENNEDY, JENNIK & MURRAY, P.C.
Attorneys for Plaintiffs
113 University Place
New York, New York 10003
(212) 358-1500


CHRISTINA GOLINO

Sworn to before me this 11th
day of August 2005.


Notary Public

CHRISTOPHER RUSSO
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02RU6128715
QUALIFIED IN WESTCHESTER COUNTY
COMMISSION EXPIRES JUNE 13, 20 09